

REMARKS

Claims 1-37 are pending in the application. Claims 1, 4-11, 14, 15 and 20-33 have been amended. Claims 34-37 are newly added. Reconsideration of this application is respectfully requested.

The Office Action has objected to the specification because at page 9, “T)” should be “T0”. The specification has been amended at page 9 to correct this typographical error. Accordingly, it is submitted that the amendment obviates the objection to the specification and, therefore, that the objection should be withdrawn.

The Office Action rejects claims 1-33 under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 5,947,457 to Waclawsky et al., hereafter Waclawsky.

Independent method claim 1 has been amended to recite that the time series data is generated by a device and that the time series data is processed “for categorization according to a data structure that includes a representation of said device and that defines said time varying parameter and an activity having an interval that frames said time varying parameter”. Claim 1 has been further amended to recite: “based on said data structure, storing said processed time series data in a memory”.

Independent method claim 11 has been amended to recite: “identifying a time varying parameter of said time series data that is framed by an interval of said activity and a device that generated said time series data of said time varying parameter”. Claim 11 has been further amended to recite: “processing said activity, a representation of said device and said time varying parameter to access said memory to retrieve said time series data”.

Independent method claim 31 has been amended to recite that the time series data is processed “based on a representation of a device that generated said time series data

and an activity that has an interval that frames said time series data” and that the “activity, device representation and said time varying parameter” are processed to “access a memory and retrieve said time series data”.

These amendments obviate the rejection. Waclawsky does not teach that the data of the event vectors is (i) generated by a device (claims 1, 11 and 31) and (ii) processed for categorization (claim 1) according to a data structure that includes a representation of the device. Also, Waclawsky does not teach identifying a time varying parameter of the data as framed by an activity and as generated by a device of the event vectors (claim 11). Further, Waclawsky does not teach processing the data of the event vectors based on a representation of the device (claim 31). Further, Waclawsky does not teach storing or retrieving the time series data from memory based on the representation of the device and the activity (claims 1 and 31) or the representation of the device and the time varying parameter (claim 11).

Rather, Waclawsky teaches to receive the data of the event vectors in the event vector format (column 4, lines 14-17). Waclawsky further teaches to compare the event vector data with bench mark data, but not to process the data for categorization based on a device that generated the data or to store the data in memory based on a representation of the device as recited in amended claim 1. Also, Waclawsky does not teach to identify any device that generated the data of the event vectors (claim 11). Also, Waclawsky does not teach to process the time series data based on a representation of a device that generated the time series data as recited in amended claim 31.

Independent apparatus claims 6, 20 and 32 have been amended to recite a computer apparatus that includes a processor and a framing program that when run controls the processor. Waclawsky does not teach a computer apparatus that includes a processor and a framing program that when run controls the processor. Rather, Waclawsky teaches a benchmarking program.

Independent claim 6 further recites that the time series data is generated by a device and processed for categorization according to a data structure that includes a representation of the device. Amended independent claim 20 recites that the time series data is generated by a device and that a time varying parameter is identified as framed by an activity and as generated by the device. Amended independent claim 32 recites that the time series data is processed “based on a representation of a device that generated said time series data and an activity that has an interval that frames said time series data”.

Waclawsky does not teach that the data of the event vectors is (i) generated by a device (claims 6, 20 and 32) and (ii) processed for categorization according to a data structure that includes a representation of the device (claim 6). Also, Waclawsky does not teach identifying a time varying parameter of the data as framed by an activity and as generated by the device of the event vectors (claim 20). Further Waclawsky does not teach processing the data of the event vectors based on a representation of a device that generated the data and an activity (claim 32). Rather, Waclawsky teaches to receive the data of the event vectors in the event vector format (column 4, lines 14-17). Waclawsky further teaches to compare the event vector data with bench mark data, but not to process the data as claimed in amended claims 6, 20 and 32.

Independent claims 6, 20 and 32 have been amended to recite that the time series data is stored and/or retrieved from memory based on the activity and the device representation. Waclawsky does not teach to identify any device that generated the data of the event vectors and further does not store or retrieve the data to or from memory based on an activity and a representation of the device as recited in amended claims 6, 20 and 32.

Independent memory media claims 29, 30 and 33 have been amended similarly to method claims 6, 11 and 31 and, therefore, similarly distinguish from Waclawsky.

For the reason set forth above, it is submitted that the rejection of claims 1-33 under 35 U.S.C. 102(b) as anticipated by Waclawsky is obviated by the amendment and should be withdrawn.

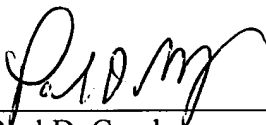
The Office Action cites a number of patents that were not applied in the rejections of the claims. These patents have been reviewed, but are believed to be inapplicable to the claims.

Newly presented dependent claims 34-37 recite that the item comprises the representation of the device recited in their respective independent claims and, therefore are allowable for the same reason set forth above for the respective independent claims.

It is respectfully requested for the reasons set forth above that the objection to the specification be withdrawn, that the rejection under 35 U.S.C. 102(b) be withdrawn, that claims 1-37 be allowed and that this application be passed to issue.

Respectfully Submitted,

Date: 8/23/04



Paul D. Greeley
Reg. No. 31,019
Attorney for Applicants
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
(203) 327-4500